

**FISCAL NOTE**  
**SB 1158 - HB 1329**

March 21, 2004

**SUMMARY OF BILL:** Requires a parenting plan when non-married parents of a minor child are in juvenile court concerning child support and visitation. The parenting plan would contain the following:

- Provisions for the child's needs, both present and future;
- Establishment of authority and responsibility of each parent;
- Minimization of the child's exposure to harmful parental conflict;
- Provision for a dispute resolution process, unless limited by law and excluding state agency cases as to child support issues;
- Allocation of decision-making authority regarding the specifics of the child's education, health, and welfare;
- Provide that each parent may make day-to-day decisions when the child resides with the parent;
- An agreement between the parents that they would enter dispute resolution when mutual decision-making cannot be achieved, unless the court process is necessary to protect the welfare of the child or the parent;
- Annual reporting requirements regarding the child support obligor's income;
- Provision for a comprehensive residential schedule.

Under current law custody of a child born out of wedlock is with the mother unless the court orders otherwise. Current law also provides that the juvenile court is not subject to the Parenting Plan Act in any matter before the juvenile court pursuant to its exclusive original jurisdiction.

**ESTIMATED FISCAL IMPACT:**

**Increase Local Govt. Expenditures - Exceeds \$500,000\***

Estimate assumes:

- Most of the 98 juvenile courts in the state will require at least one additional staff person to assist or locate assistance for non-married parents in developing a parenting plan and with dispute resolution;
- Majority of non-married parents in juvenile court are indigent for the purpose of hiring attorneys.

*\*Article II, Section 24 of the Tennessee Constitution provides that: no law of general application shall impose increased expenditure requirements on cities or counties unless the General Assembly shall provide that the state share in the cost.*

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James W. White, Executive Director